

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

**for August 31, 2005 PLANNING COMMISSION MEETING**

**PROJECT #:** Change of Zone #05056 - AG to AGR

**PROPOSAL:** A change of zone from AG Agricultural to AGR Agricultural

**LOCATION:** Southwest corner of the intersection of S.W. 12<sup>th</sup> Street and W. Denton Road.

**LAND AREA:** 155.27 acres, more or less.

**CONCLUSION:** This is in conformance with the Comprehensive Plan and abutting other acreage development. Build-Through provisions would apply.

<b><u>RECOMMENDATION:</u></b>	Approval
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**LEGAL DESCRIPTION:** Lots 8, 9, 10, 19, 20, 21, and the SW 1/4 of the NE 1/4 of Section 21, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

**EXISTING LAND USE AND ZONING:** Farmland/pasture zoned AG Agricultural.

**SURROUNDING LAND USE AND ZONING:** Acreages to the north, west and south, LES substation and open land to the east. Zoned AGR Agriculture to the north, south and west, AG Agricultural and P Public to the east.

**ASSOCIATED APPLICATIONS:** Cardwell Reserve Community Unit Plan, SP # 05041.

**HISTORY:** Changed from AA Rural and Public Use to AG Agricultural with the adoption of the 1979 Zoning Update. The land to the south was changed from AG to AGR (CZ 3333) in 2001.

**COMPREHENSIVE PLAN SPECIFICATIONS:** In conformance. The 2025 Comprehensive Plan shows this area as Residential Low Density. This is in the Lincoln Growth Tier II. The Future Service Limit (Tier I boundary) abuts the eastern boundary of this parcel.

**SPECIFIC INFORMATION:**

**UTILITIES:** There are no utilities or water districts in the area.

**TOPOGRAPHY:** Gently rolling, draining to Cardwell Branch that bisects this site from east to west.

**TRAFFIC ANALYSIS:** Southwest 12th Street and West Denton Road are paved county roads.

**PUBLIC SERVICE:** This is in the Southwest Rural Fire District, the station is located approximately 4 miles from this site. This is in the Lincoln Public School District, served by Beattie Elementary, Irving Middle and Southeast High Schools. Electric service is by Norris Public Power.

**REGIONAL ISSUES:** Acreage development and city growth.

**ENVIRONMENTAL CONCERNS:** There is a family cemetery on this site. Flood plain covers about ½ of this site. Tree masses and wetlands are along Cardwell Creek. This land is rated at 3.9 on the land evaluation scale, with 1 being the best and 10 being the worst. This is prime agricultural land. The water report generally indicates good water quantity and quality.

**AESTHETIC CONSIDERATIONS:** NA

**ALTERNATIVE USES:** Pasture and farming uses. Up to 9 dwellings at one per 20 acres plus two farmsteads (if applicable) under AG zoning.

**ANALYSIS:**

1. This request is for a change from AG Agriculture to AGR Agricultural Residential on a 155.27 acre (net) parcel of land. This could provide up to 41 dwellings without bonuses and 63 dwellings with bonuses under a CUP.
2. The stated intent is a buildthrough cluster acreage development of 63 acreage lots.
3. This is in conformance with the Comprehensive Plan Land Use Maps.
4. The abutting land to the north, west and south is currently platted and developed with acreages and has been zoned AGR.
5. This tract is on paved county roads.
6. Ground water information provided shows good quality and quantity.

Prepared by:

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Mike DeKalb, AICP, 441-6370, [mdekalb@ci.lincoln.ne.us](mailto:mdekalb@ci.lincoln.ne.us)  
Planner

August 17, 2005

**APPLICANT:** Brian Carstens  
Brian Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512  
(402) 434-2442

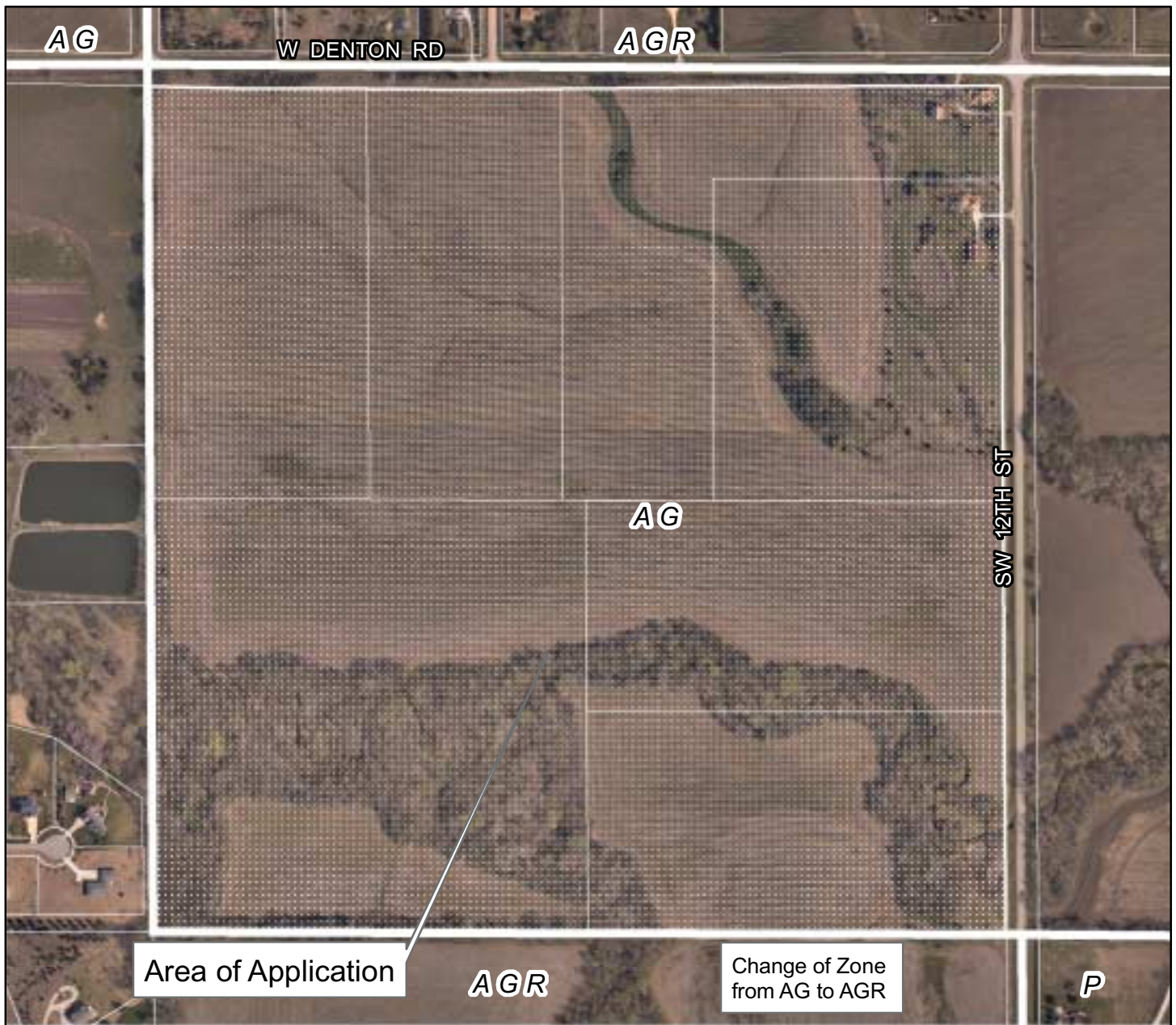
**CONTACT:** Brian Carstens

**OWNERS:** Roger G and Carol Williams  
645 N. 35<sup>th</sup> Street  
Lincoln, NE 68503

Marvin Williams  
7101 SW 12<sup>th</sup> Street  
Lincoln, NE 68523

Velda V. Williams  
7101 SW 12<sup>th</sup> Street  
Lincoln, NE 68523

Vernon O. Williams  
9719 Gabriella  
Plattsmouth, NE 68048

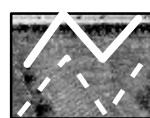


**Special Permit #05041**  
**Change of Zone #05056**  
**Cardwell Reserve CUP**  
**SW 12th & W. Denton Rd.**  
**Zoning:**

2005 aerial

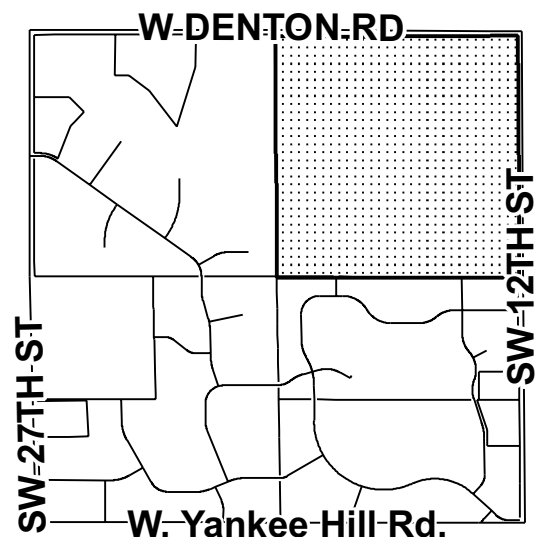
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 21 T9N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



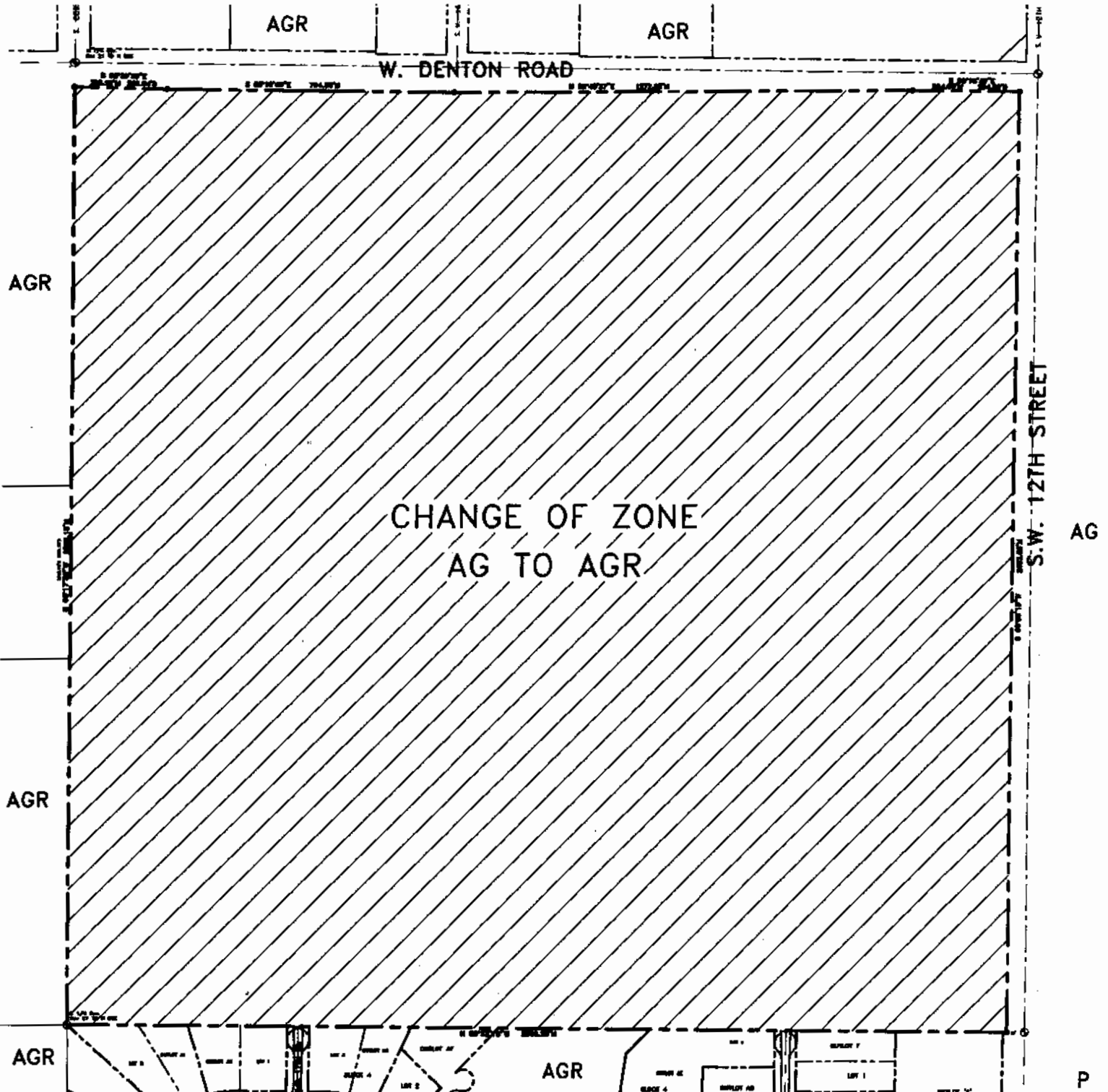
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SW 12th & W. Denton Rd.

RECEIVED

JUL 29 2005

COLUMBIA CITY/LANCASTER COUNTY  
PLANNING DEPARTMENT

# CHANGE OF ZONE EXHIBIT CARDWELL RESERVE



## CARDWELL RESERVE

A survey of Lots 8, 9, 10, 19, 20, 21, and the Southwest Quarter of the Northeast Quarter of Section 21 Township 9 North Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska. Said tract of land shall be more particularly described by metes and bounds as follows.

Commencing at the North  $\frac{1}{4}$  Corner of Section 21 Township 9 North Range 6 East of the Sixth P.M.; Thence South  $00^{\circ}17'30''$  East, (an assumed bearing) on the West line of the Northeast Quarter, a distance of 67.01 feet to the POINT OF BEGINNING; Thence South  $88^{\circ}30'30''$  East, on the South right of way of West Denton Road, a distance of 253.29 feet, to a point 70.56 feet South of the North line of the Northeast Quarter of Section 21; Thence South  $89^{\circ}18'49''$  East, and parallel to the North line of the Northeast Quarter, a distance of 794.36 feet; Thence North  $89^{\circ}45'37''$  East, on the afore said right of way, a distance of 1272.03 feet to a point 50.00 feet South of the North line of the Northeast Quarter; Thence South  $89^{\circ}18'49''$  East, and parallel to the North line of the Northeast Quarter, a distance of 294.09 feet, to a point 50.00 feet West of the East line of the Northeast Quarter; Thence South  $00^{\circ}00'15''$  West, on the West right of way, of Southwest 12<sup>th</sup> Street, a distance of 2602.03 feet, to a point on the South line of the Northeast Quarter; Thence North  $89^{\circ}33'15''$  West, on the South line of the Northeast Quarter, a distance of 2600.29 feet to the Center of Section 21; Thence North  $00^{\circ}17'30''$  West, on the West line of the Northeast Quarter of Section 21, a distance of 2596.15 feet, to the POINT OF BEGINNING, and containing a calculated area 155.267 acres more or less.

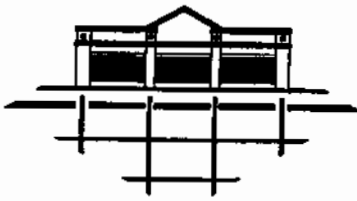
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JUL 29 2005

COUNTY

**Special Permit #05041  
Change of Zone #05056  
Cardwell Reserve CUP  
SW 12th & W. Denton Rd.**

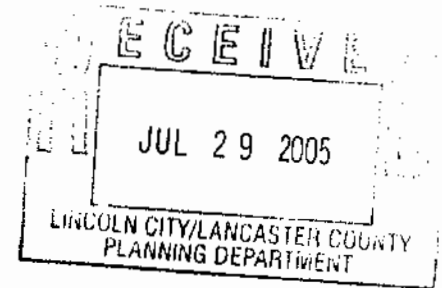




**BRIAN D. CARSTENS AND ASSOCIATES**  
**LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN**  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 29, 2005

Mr. Marvin Krout, AICP  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508



**RE: CARDWELL RESERVE- S.W. 12<sup>TH</sup> AND WEST DENTON ROAD**  
**CHANGE OF ZONE FROM 'AG' TO 'AGR'**  
**SPECIAL PERMIT/ C.U.P. WITH BTA**

Dear Marvin,

On behalf of Reserve Development, L.L.C., we submit the following change of zone and associated special permit for a C.U.P. for your review.

Cardwell Reserve is located at the Southwest corner of S.W. 12<sup>th</sup> Street and West Denton Road. The site is currently zoned 'AG', however the Lincoln/ Lancaster County Comprehensive Plan shows this property to be low density residential, thus 'AGR'.

The site is located in Tier 2 of the Phasing Plan as shown in the Comprehensive Plan. Therefore, the "build thru standards" will apply. We are proposing a density of 63 dwelling units, including the two existing residences along S.W. 12<sup>th</sup> Street. The remaining lots are typically 100' x 150', or approximately 1/3 of an acre. We are requesting a 20% density bonus for the 'cluster' as well as a 20% density bonus for a community sewer/ septic system.

Each lot will have its own well for a potable water supply. A community sanitary sewer system, identical to the system recently approved by NDEQ for the Foreman Ridge development immediately south of the site, will provide the sewage treatment. In the future, City sewer can be extended to the site and hook up to the existing location of the treatment facility.

We are proposing 27' wide concrete private roadways with roll-over curbing. Sidewalks, street lighting and street trees will be installed in the areas of the lots. We are requesting waivers to those items along S.W. 12th Street and West Denton Road at this time.

We have also requested waivers to allow reduced setbacks on the individual lots, to reflect typical setbacks for lots of this size.

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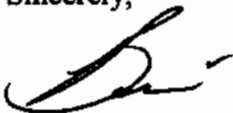
We have also shown the location of the 100 year flood plain as shown in the new Cardwell Branch flood plain study. No grading or developing will be done in the 100 year flood plain, except for a sanitary sewer lines.

The project will be broken into two phases. Phase One will contain the 30 lots south of Cardwell Branch, immediately north of the Foreman Ridge development. Phase Two, may be built in the future with its access from West Denton Rd., via S.W. 16<sup>th</sup> Street or with the extension of South Coddington Avenue.

We are excited to present this project, as it is another way to provide housing in an acreage area with BTA , while providing the means for future annexation to the City of Lincoln. This project is unique, as future lot division will not be required, as each lot is already 1/3 acre in size, maintaining the target density of 3 dwelling units per acre, upon full build-out.

Please feel free to contact me if you have any further questions or comments.

Sincerely,



Brian D. Carstens

Cc: Rob Watson- Reserve Development, L.L.C.

Enclosures- 24 copies of Sheet 1 of 6  
8 copies of Sheets 2 thru 6 of 6  
Application for a Change of Zone & Fees  
Application for a Special Permit/ C.U.P. & Fees  
8 1/2" x 11" reductions of the plans  
Certificate of Ownership  
3 copies of the Ground Water Report by Vince Dreezen